

# HOUSE . . . . . No. 896

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By Mr. Kennedy of Brockton, petition of Thomas P. Kennedy and James R. Miceli for legislation to ensure payment for criminal offender record information checks for long-term care employees. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand and Five.

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### AN ACT TO ENSURE PAYMENT FOR CRIMINAL OFFENDER RECORD INFORMATION CHECKS FOR LONG TERM CARE EMPLOYEES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Section 172E of Chapter 6 of the General Laws is hereby  
2 amended by deleting the last paragraph and inserting in place  
3 thereof the following:  
4 Notwithstanding the provisions of any general or special law or  
5 regulation to the contrary, the office of medicaid shall reimburse  
6 long term care facilities for the publicly aided portion of the costs  
7 associated with obtaining criminal offender record information on  
8 employees pursuant to this section. To the extent adequate provi-  
9 sion to reimburse said costs is not specifically provided for in a  
10 long term care facility's rate of payment, the long term care  
11 facility shall be entitled to bill said division for said costs and the  
12 division shall pay any such bill within thirty days of receipt. Any  
13 long term care facility submitting a bill to the division shall attach  
14 thereto copies of available invoices and checks and shall submit a  
15 certification to the division attesting (i) that its bill to the division  
16 is for criminal offender record information costs actually incurred  
17 and (ii) that the bill is accurately prorated to reflect the percentage  
18 of publicly aided residents in the long term care facility on the  
19 day(s) the criminal offender record information costs were actu-  
20 ally incurred. The long term care facility's prorated calculation  
21 shall be accurately set forth on its bill to the division. The depart-

22 ment may adopt regulations to implement the provisions of this  
23 paragraph provided, however, that the absence of any such regula-  
24 tion shall not relieve the division of its payment obligation here-  
25 under.